

**MINUTES OF THE
IMPROVEMENT & SERVICE COMMITTEE
Wednesday, September 9, 2015
ROOM 207, CITY HALL
5:30 p.m.**

MEMBERS: Brian Danzinger, Joe Moore, David Nennig, Jerry Wiezbiskie

1. Approval of the minutes from the regular meeting on August 12, 2015.

A motion was made by Ald. Moore and seconded by Ald. Nennig to approve the minutes from the regular meeting on August 12, 2015. Motion carried.

2. Approval of the agenda.

To accommodate those in attendance, item number 6 will be discussed after item number 3 and then the Committee will return to the proposed agenda.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to approve the agenda as modified. Motion carried.

3. Request by Mitchell Hyde, owner of Jekyll & Hyde Bar, 226 S. Broadway, to place tables and chairs in front of his business in City right-of-way (referred back from August 18, 2015 Council meeting).

Department of Public Works (DPW) staff received this request in early July, 2015. DPW staff reviewed the initial information and then requested additional information from the requestor. To date DPW staff has not received any additional information. DPW recommends denying the request.

The floor was opened for discussion. Mitch Hyde, owner of Jekyll & Hyde Bar, stated he did not receive the request for additional information or he would have addressed the request.

Director Grenier verified the email address used by staff. Mr. Hyde confirmed the correct email address was used. Mr. Hyde asked if the request for additional information could be resent so he can address the request. DPW staff will resend the request.

The floor was closed for discussion.

A motion was made by Ald. Moore and seconded by Ald. Nennig to hold the request by Mitchell Hyde, owner of Jekyll & Hyde Bar, 226 S. Broadway, to place tables and chairs in front of his business in City right-of-way. Motion carried.

4. Request by Oak Park Place for an approximate 1000-foot water main extension on Erie Road to the north. The extended water main will serve a senior assisted living facility which is part of the Grandview Planned Unit Development.

Director Grenier referred the Committee members to the map in their packet. Oak Park Place is a senior assisted living facility in the Grandview Planned Unit Development. Currently the watermain on Erie Road ends adjacent to the golf course clubhouse. The watermain will need to be extended approximately 1,000 feet north to serve the new facility. There is currently sewer service to the location of the new facility. Green Bay Water Utility (GBWU) approves of the extension. DPW approves the extension.

There are three (3) residences on the west side of Erie Road which would be affected by the new watermain. Currently the homes are served by private wells. The residences could be assessed for the new watermain and may be required to connect to the new main. DPW will investigate to determine what options are available for these three (3) residences. Typically GBWU has the jurisdiction for determining the assessments and whether or not the residents would be required to connect to the main.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to approve the request by Oak Park Place for an approximate 1,000-foot water main extension on Erie Road to the north. The extended water main will serve a senior assisted living facility which is part of the Grandview Planned Unit Development. Motion carried.

5. Request by Adams Street Pub and Grille to amend its existing dumpster rental space agreement in the Cherry Street Ramp, to be year-round instead of only during June, July, and August of each year.

Director Grenier stated that the Adams Street Pub and Grille currently rents dumpster space in the Cherry Street Ramp only for the summer months. They would like to amend the agreement to a yearly agreement. DPW recommends approval of amending the agreement to be a year round agreement.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Adams Street Pub and Grille to amend its existing dumpster rental space agreement in the Cherry Street Ramp, to be year-round instead of only during June, July, and August of each year. Motion carried.

6. Request by Ald. Wery to allow overnight on-street parking on weekends except during snow emergencies in residential areas (held over from August 12, 2015 Improvement & Service Committee meeting).

Director Grenier read the Parking manager's memo to the Committee into the record. The Director also read a memo from Green Bay Police Department into the record. Both memos are attached.

The floor was open for discussion. Ald. Wery started the discussion. He stated that he has received complaints about the \$30.00 overnight parking tickets. If the parking was allowed just for weekends there should not be conflicts with DPW activities. Ald. Wery stated that the City of DePere has allowed overnight parking on the weekends and there have not been any negative issues with it.

Brian Shelly, 1617 Arnold Drive, stated he only has room for two (2) vehicles in his driveway. He has used up his exemptions and was not aware that he could apply for a variance. He stated that the call-in procedure should continue so that vehicles could be verified as to belonging to a certain address. He would be willing to pay a fee for overnight parking. He will apply for a variance.

David O'Neil, 1221 Oregon Street, has also used up his allotted exemptions. He suggested trying allowing overnight parking on Friday and Saturday nights.

The floor was closed for discussion.

Ald. Moore stated that options exist for residents that use up their exemptions. A blanket policy would not be a good option. He stated that he has had conversations regarding on-street parking with Green Bay Fire Department (GBFD) and they have had instances where the vehicles could not get to an incident due to vehicles parked on each side of the roadway.

Ald. Danzinger stated that a blanket policy is not a good option due to the varying conditions throughout the various types of neighborhoods that exist in the City. There is an exemption policy in place. He would support a fee for overnight parking. He understands that there could be issues with people parking in front of homes other than the home associated with the vehicle. He stated another option may be to increase the number of exemptions allowed per year.

Ald. Nennig stated that the exemption form is available on-line. There are a lot of different options available but he feels the current ordinance works so it should be kept as is. The policy is signed at each City limit signs. An ordinance change may generate more resident complaints than leaving the ordinance as is.

Ald. Wiezbiskie stated that the existing ordinance is not broken. There is a process in place for variances. If anything the ordinance language regarding the length of the variance, 2-weeks, could be cleaned up. Street signs are not followed by motorists so any attempt to use signs should be limited.

The Director stated that DPW is open for case by case discussions with residents. After a resident uses up six (6) exemptions, they have to appear at Committee to have a variance granted.

A motion was made by Ald. Danzinger and seconded by Ald. Moore to refer to staff the request by Ald. Wery to investigate options to allow overnight on-street parking on weekends except during snow emergencies in residential areas. Motion carried.

7. Request by Ald. Moore for a list of approved and bonded Capital Improvements from 2013, 2014 and 2015, and update status of each project.

Director Grenier referred the Committee members to the Capital Improvement Program (CIP) information in their packets. He reviewed the 2013 CIP information and the status of the projects. The Director explained that each year there are certain projects that are bonded for one (1) year where-as in reality they will be completed in the following year. The reason for this is that the bond monies do not become available

until July. Bonding projects this way allows DPW to have operating revenue earlier than July so that projects can be started at the beginning of the construction season.

DPW plans on completing a 1-year CIP plan and 5-year CIP plan each year. The 5-year CIP will provide longer term planning and preparation for projects. The CIP programs will both be brought to this Committee for discussion. The bond monies are spent in a manner that no bond money is held for more than two (2) years.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to receive and place on file the request by Ald. Moore for a list of approved and bonded Capital Improvements from 2013, 2014 and 2015, and update status of each project. Motion carried.

8. Request by Ald. Moore for a report of the expected monetary effect on the 2016 budget of the City being charged for recycling as opposed to previous years when we were paid for recycling.

The additional cost for next year is estimated to be \$43,000.00. Not all of this cost increase is for the increased cost of recyclables, but it is a significant portion. That amount is not negotiable. Typically the rate charged to the City is set monthly. There is a possibility that if recyclables become less costly the City may see a reduction in the fee.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to receive and place on file the report of the expected monetary effect on the 2016 budget of the City being charged for recycling as opposed to previous years when we were paid for recycling. Motion carried.

9. Request by Ald. Danzinger on behalf of John Vernon, 2520 He-Nis-Ra Lane, for additional on-street parking exemptions for 2015.

Ald. Danzinger stated that this resident has a work vehicle he does not want to park on the road. The resident has used up his exemptions. He recommends granting additional on-street parking exemptions for the resident.

A motion was made by Ald. Moore and seconded by Ald. Nennig to approve the request by Ald. Danzinger on behalf of John Vernon, 2520 He-Nis-Ra Lane, for additional on-street parking exemptions until the end of 2015 with a 1 year renewal. Motion carried.

10. Request by Ald. Steuer, on behalf of area residents, that a sidewalk study be performed on Taylor Street from Dousman Street to Bond Street.

DPW staff reviewed the area in question. The total length is approximately 1,000 feet. DPW recommends installing sidewalk along the east side of Taylor Street.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to approve the request by Ald. Steuer, on behalf of area residents, that a sidewalk study be performed on Taylor Street from Dousman Street to Bond Street. Motion carried.

11. Request by Ald. Moore to draft a resolution requesting elected federal representation to amend the Transportation Code allowing local municipalities the right to make minor and emergent repairs to railroad crossings including but not limited to cold patching.

DPW recommends modifying the resolution so that it requests state legislators to amend the Transportation Code allowing local municipalities the right to make minor and emergent repairs to railroad crossings including but not limited to cold patching. DPW recommends the request be received and placed on file.

The League of Municipalities will also be contacted to determine if other municipalities have the same issue with railroad crossings.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to receive and place on file the request by Ald. Moore to draft a resolution requesting elected federal representation to amend the Transportation Code allowing local municipalities the right to make minor and emergent repairs to railroad crossings including but not limited to cold patching, and to direct staff to work with state legislators to amend state statutes to require railroads to make required repairs or allow municipalities to complete the repairs. Motion carried.

12. Request by the Department of Public Works for the approval of an agreement with Suburban Wildlife Solutions LLC (formally Kurt Schroeder) to provide professional trapping services of nuisance animals at City owned storm water facilities for 2015-2016 and 2016-2017 trapping seasons.

Every year DPW hires a trapper to remove vermin from the storm water facilities. DPW recommends hiring Suburban Wildlife Solutions, LLC for the 2015-2016 and 2016-2017 trapping seasons. They have been very successful in the past years in controlling the muskrats, skunks, and woodchucks. The cost per year is \$7,844.00.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the request by the Department of Public Works of an agreement with Suburban Wildlife Solutions LLC (formally Kurt Schroeder) to provide professional trapping services of nuisance animals at City owned storm water facilities for 2015-2016 and 2016-2017 trapping seasons. Motion carried.

13. Report of the Purchasing Manager:

- A. Request approval to award a contract for Door & Frame Replacement at the Pine and Main Street parking ramps to Blue Sky Contractors, LLC for \$21,470.

Five (5) vendors provided proposals for the Door & Frame Replacement at Pine and Main Street Parking Ramps. DPW recommends awarding the contract to the low, responsive bidder, Blue Sky Contractors, LLC in the amount of \$21,470. Blue Sky Contractors, LLC has worked for the City in the past.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the report of the Purchasing Manager:

A. To award a contract for Door & Frame Replacement at the Pine and Main Street parking ramps to Blue Sky Contractors, LLC for \$21,470.

Motion carried.

14. Review and award of the contract TRAFFIC SIGNAL REPAIR – 2015.

The contract was bid on Tuesday, September 8, 2015. Two (2) bids were received, one (1) from Bodart Electric and one (1) from Elmstar Electric. DPW recommends awarding the contract to the low, responsive bidder, Bodart Electric in the amount of \$151,938.80.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the award of the contract TRAFFIC SIGNAL REPAIR – 2015 to the low, responsive bidder, Bodart Electric, in the amount of \$151,938.80. Motion carried.

15. Report the award of the contract PARKS PROJECT 3-15 BAY BEACH TOT RIDES to the low, responsive bidder.

There was one (1) bid for the contract. DPW recommended awarding the contract to the low, responsive bidder, SMA Construction services, LLC, in the amount of \$496,739.03. Parks Department had contacted the Friends of Bay Beach who will be financing the project, and the Friends of Bay Beach approved the project. Due to the timeliness of the project the Director awarded the project and is reporting it to the Committee.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to receive and place on file the bid results for contract PARKS PROJECT 3-15 BAY BEACH TOT RIDES to the low, responsive bidder, SMA Construction Services, LLC., in the amount of \$496,739.03. Motion carried.

16. Request by Wisconsin Public Service Corporation to place semi-permanent soil vapor probes in the sidewalks of N Jefferson Street and Elm Street.

DPW recommends approval of the Hold Harmless Agreement contingent upon receiving the applicable insurance certificate, the owner receiving all necessary City approvals and authorization to the Mayor and City Clerk to execute the agreement. The probes will not adversely affect any parking stalls.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Wisconsin Public Service Corporation to place semi-permanent soil vapor probes in the sidewalks of N Jefferson Street and Elm Street. Motion carried.

17. Approval of the following Temporary Limited Easements (TLE):

HUMBOLDT ROAD (CTH N) CORNELIUS DRIVE TO SPARTAN ROAD
PROJECT ID. # 4987-02-56

Joseph A & Tamara H Bethel Parcel 3	\$450.00	TLE
Wayne F Wilquet Parcel 5	\$200.00	TLE
Marvin Rucker Parcel 7	\$200.00	TLE
Beck M Krueger Parcel 8	\$200.00	TLE
Bruce H & Julie M Shefchik Parcel 9	\$300.00	TLE
Stanley C Zdeb & Julie I Perry Parcel 11	\$875.00	TLE
Jeffery M Wery Parcel 12	\$450.00	TLE

These temporary limited easements are related to the sidewalk work associated with the Humboldt Road reconstruction project. DPW recommends approving the TLEs.

A motion was made by Ald. Moore and seconded by Ald. Nennig to approve the following Temporary Limited Easements (TLE):

HUMBOLDT ROAD (CTH N) CORNELIUS DRIVE TO SPARTAN ROAD
PROJECT ID. # 4987-02-56

Joseph A & Tamara H Bethel Parcel 3	\$450.00	TLE
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Stanley C Zdeb & Julie I Perry Parcel 11	\$875.00	TLE
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Jeffery M Wery Parcel 12	\$450.00	TLE
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Motion carried.

18. Application for a Concrete Sidewalk Builder's License by Blaser Construction.

Blaser Construction has not held a license with the City in the past. DPW will investigate their background and make a determination on whether or not a license should be issued. DPW requests the approval to grant a license if/when the background check is acceptable.

A motion was made by Ald. Moore and seconded by Ald Wiezbiskie to hold the application for a Concrete Sidewalk Builder's License by Blaser Construction. Motion carried.

19. Director's Report on recent activities of the Public Works Department.

The Director stated that DPW staff will be interviewing candidates for the Special Projects Engineer position.

The Operation Division is preparing for the conversion from summer to fall operation. The fall leaf collection schedule will be determined shortly. The schedule will be shared with the Aldermen.

Today the Wisconsin Association of Public Works held its annual Snow Plow Rodeo at Lambeau Field. There were approximately 99 total contestants. There were 9 contestants from the City of Green Bay. City employees finished in 1st, 3rd, and 5th place. The Director stated that these drivers and their associates deserve the recognition for their achievements. The City is blessed with a high quality workforce. The Director agreed with the Alders that the winners should be recognized at the next Council meeting.

The Director discussed the internal policy of completing repairs and projects on the east side and west side of the City. Each side of the City is treated the same without favoring one over the other.

The highway 41 project has limited the availability of the concrete contractors in the area.

To receive and place on file the verbal Director's Report on recent activities of the Public Works Department.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to receive and place on file the verbal Director's Report on the recent activities of the Public Works Department. Motion carried.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to adjourn the meeting. Motion carried.

Meeting adjourned at 7:21 p.m.

Inter-Office Memo

Date: September 9, 2015
To: Improvements and Services Committee
From: Christopher J. Pirlot, P.E.
Parking Manager
RE: Discussion of On-Street Overnight Parking Restrictions

History and Background Information

The intent of this report is to discuss the reasoning behind and benefits of the City of Green Bay's on-street overnight parking ban that is in effect year-round between the hours of 3:00 and 5:00 a.m. The report is being drafted in response to a request by Ald. Wery to allow overnight on-street parking on weekends except during snow emergencies in residential areas.

Green Bay's overnight on-street parking ban has been in effect for decades. A records search revealed the following ordinance progression:

- 1) Prior to 1980, ordinance 29.20 read, "**ALL NIGHT PARKING PROHIBITED**. No person shall park a motor vehicle on any street in the City for longer than 30 minutes between 2 a.m. and 6 a.m." This ordinance was subsequently re-numbered as 29.15. Records could not be located that identify exactly when the on-street overnight parking ban was first enacted.
- 2) In 1988, G.O. 44-88 amended Section 29.15(1)(m) relating to overnight parking, changing the ordinance to the restriction of "no overnight parking on any street between the hours of 3:00 and 5:30 a.m."
- 3) In 1990, G.O. 38-90 amended Section 29.15(1)(m) relating to night parking, changing the ordinance to the current restriction of "no overnight parking on any street between the hours of 3:00 and 5:00 a.m." This ordinance was subsequently re-numbered as 29.203.
- 4) In 2004, G.O. 56-04 amended Section 29.203(12) relating to night parking, changing the ordinance to include the current practice of allowing overnight on-street parking variances for up to two (2) weeks under certain conditions. This allowed Parking Division to draft the existing on-street overnight parking variance and enforcement policy that was adopted by Council.

Green Bay is one of many municipalities throughout the United States that prohibits 24/7/365 on-street parking. Different cities establish restrictions for different reasons, but there are many common reasons for overnight parking restrictions. Following is a summary of the basis for Green Bay's overnight on-street parking restrictions:

1. In general, vehicles parked in or along a roadway 1) pose sight obstruction issues, 2) introduce sudden intrusions into traffic such as opening doors and people exiting vehicles, 3) narrow the traveled way, and 4) create conflicts for opposing traffic on narrower streets. These hazards increase at night due to reduced visibility.
2. Green Bay does not have sidewalks on all of its streets. As such, bicyclists and pedestrians use the curbside of streets for their movement. Allowing vehicles to park on-street around the clock required pedestrians and bicyclists to operate in vehicle travel lanes. This is the same space that vehicles use, contributing to conflicts noted in item 1 above.

3. Overnight on-street parking eliminates the trend of long-term storage of trailers, inoperative vehicles, and vehicles in general. Long-term parking and storage of vehicles on-street affects curb appeal of properties, essentially affecting quality of life for neighborhoods.
4. Green Bay was planned and developed differently from most large cities that allow overnight on-street parking. Off-street parking is generally provided at all Green Bay residences. Conversely, large cities that allow 24/7/365 on-street parking typically do not have off-street parking for all residents.
5. Green Bay sweeps streets, plows snow, and removes snow at night, requiring vehicles to be removed from streets to complete these tasks effectively.
6. Emergency response vehicles cannot traverse some streets if they are parked full of vehicles. Access to an emergency scene would also be limited or restricted if vehicles are allowed to park on-street around the clock.
7. Police Department uses the nighttime vacant street situation as a tool for surveillance and law enforcement. Perpetrators typically park on the street, walk to the crime scene, and return to their vehicle. Having few or no vehicles parked on-street at night makes it easy for officers to identify suspicious vehicles.
8. Green Bay maintains an ordinance that any vehicle left on-street for longer than 72 hours is classified as abandoned. After 72 hours, the vehicle is removed from the roadway. Without an on-street overnight parking ban, it would be more difficult to identify abandoned vehicles.

Discussion

Elimination and change of Green Bay's overnight on-street parking ordinance has been discussed many times over the years, and continues to be an item of discussion. Historically (as noted above) each time the issue was discussed, it was concluded that the City should not eliminate the overnight on-street parking prohibition. However, the time during which parking is prohibited was allowed to be reduced. Maintaining at least a limited duration of on-street parking prohibition each day still keeps vehicles from parking on the street around the clock. The current overnight on-street parking restriction (3:00 to 5:00 a.m. daily) allows residents to have guests late into the night, while allowing the City to eliminate vehicles from sitting on the street 24/7/365. The current variance policy allows even more flexibility over the ordinance restrictions under special circumstances. No set of rules can satisfy all parties. However, Parking Division staff believes that Green Bay's overnight on-street parking rules are flexible enough to satisfy most circumstances.

From an ordinance standpoint, Green Bay could change the overnight on-street parking restriction to allow parking on some days of the week. However, parking industry experience indicates that it is exceedingly difficult to educate the public on part-time restrictions, compared to full-time (all or nothing) restrictions. If signs state "except Saturday and Sunday," residents will make their own interpretation on time limits. And if traffic signs contain detailed information to specifically define time limits, then residents tend not to read them. The first rule of official traffic signing is to keep text simple and use symbols whenever possible. So the challenge is how to properly educate the public, especially visitors.

Another concern discussed by Parking Division staff is that the on-street overnight parking enforcement policy requires residents to park on-street only in front of their own property. If overnight on-street parking is allowed on certain weeknights, it would be difficult or impossible to maintain this rule in neighborhoods with multi-family buildings. Under the current overnight parking rules, Parking Division still receives complaints about neighbors parking in front of their house.

From a practical standpoint, it is easiest to maintain a year-round singular rule of no parking on all streets every day of the year. Parking Division has learned that any lesson should include no more than three (3) points in order to be easily understood. The current on-street overnight parking rules already contain the following three points:

- 1) No parking on any City street from 3:00 to 5:00 a.m. daily

- 2) Variances are allowed under certain conditions
- 3) You must contact Parking Division to seek permission for a variance

In addition to these three points, the variance and enforcement policy attached to the ordinance includes other points of rule that must be followed. So the current rules already violate the three-point limit for ease of comprehension.

Conclusion/Recommendation

Parking Division understands the logic and concerns for the current request to modify the on-street overnight parking ordinance. However, administration of the current rules is already challenging for Parking Division office and enforcement staff. Additional rules will make it more challenging to administer and enforce. A process exists for those who need to seek temporary exemptions to the ordinance. Consequently, Parking Division recommends that no changes be made to City of Green Bay Municipal Code Section 29.203(12) relating to overnight on-street parking restrictions.

Good Afternoon Alderman Wery,

Thank you for contacting the Police Department reference the possibility of lifting overnight parking restrictions. We believe this would not be in the best interests of the city or the police department for the following reasons:

- This would cause an exception to the abandoned vehicle ordinance. Vehicles on the roadway longer than 72 hours which are considered abandoned could be towed. If the time frame occurs over the weekend, officers would not be able to accurately determine the time frame. This would cause the abandoned vehicle ordinance to be unenforceable. This is an ordinance we routinely use.
- It would be difficult for officers to identify suspicious vehicles at night. District officers learn the streets and the surroundings. By 3:00 AM, most cars are gone or legally parked. Having more cars on the roadway would make it more difficult for officers to locate suspicious vehicles. It would also likely result in more vehicle break ins or accidents when people driving home from bars would strike vehicles parked on streets. Tavern related traffic is commonplace on the weekends.
- Lifting the ban would also interfere with snow emergencies as well as routine street cleaning and related tasks that occur at night. The ordinance was put in place to assist our department and the Street Department.
- It would be counterproductive to have an exception to the exception. The more complicated we make these ordinances or the confusion there will be for the residents and city staff trying to perform their duties.

We believe the ordinance as written has allowed us to operate efficiently and effectively and with very little inconvenience for the citizens. We do not feel adjusting the ordinance would be in the police department's or city's best interest, and that it would likely cause more harm.

Thank you,